

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

NOV 16 2018

Clerk, U.S. District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

CR 18-55-M-DWM

Plaintiff,

vs.

ORDER

ROSEANN ROBYN KIPP,

Defendant.

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on November 1, 2018. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach. Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

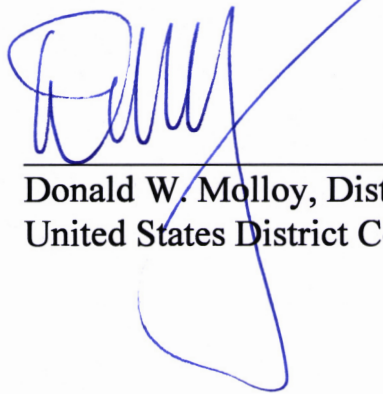
Judge Lynch recommended this Court accept Roseann Robyn Kipp’s guilty plea after Kipp appeared before him pursuant to Federal Rule of Criminal

Procedure 11, and entered her plea of guilty to one count of wire fraud in violation of 18 U.S.C. § 1343 (Count I), as set forth in the Information.

I find no clear error in Judge Lynch's Findings and Recommendation (Doc. 10), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing, when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Roseann Robyn Kipp is adjudged guilty as charged in Count I of the Information.

DATED this 16th day of November, 2018.



Donald W. Molloy, District Judge
United States District Court